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CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I, Sharon Nance, hereby certify that this correspondence, pursuant to 37 C.F.R. §1.8, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231, on:

Date: February 21, 2001

By Shavon

Te mApplicant(s):

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Jonathan W. Hubbs

Docket No.:

29092.00011

Application No.:

09/751,025

Filing Date:

December 29, 2000

TITLE

MALLEABLE SURFACE MATERIAL

TRANSMITTAL OF MISSING PARTS OF NONPROVISIONAL APPLICATION

Box Missing Parts Commissioner for Patents Washington, DC 20231

Commissioner:

In response to the Notice to File Missing Parts of Application mailed on February 14, 2001 in the above-identified application, enclosed herewith are the missing parts needed to complete filing of the subject patent application. The fee set forth in 37 C.F.R. §1.17 is enclosed.

1. Small entity Status

[x] Applicant asserts Small entity status under 37 C.F.R. §§1.9 and 1.27.

2. Fee Calculation

| • | Claims filed | Basic claims | Pre: Ext | sent ra | | | Fees |
|--|--------------------|--------------|-------------|------------|----------|----------|----------|
| Surcharge Only \$130 | | | | | | | \$130.00 |
| Total Claims | minus | 20 | = | X | \$ 18.00 | = | |
| Independent Claims | minus | 3 | = | X | \$ 78.00 | | |
| | | | | | Subtotal | = | \$130.00 |
| If "small entity" status box above is checked, enter half (1/2) of Subtotal and subtract | | | | | | - | \$65.00 |
| | | TOTAL | FILING FE | EE | | = | \$65.00 |
| If "assignment" box is chec fee: | ked, add recording | | | + | \$ 40.00 | | \$40.00 |
| | TOTAL FEE ENCLOSED | | | | = | \$105.00 | |

3. Enclosures (check as applicable) [x] Notice of Missing Parts (copy) [x] Executed Declaration and Oath [x] Check for fees [x] Assignment and Recordation Form Cover Sheet [] Other: Extra copies of this letter: [] for charge to deposit account [x] for assignment 4. Manner of Payment [] Please charge Deposit Account No. 19-3878 in that amount of \$______. A duplicate copy of this sheet is attached.

This statement does NOT authorize charge of the issue fee. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under 37 C.F.R.§§1.16-1.18 (deficiency only) now or hereafter relative to this Application and the resulting Official document under 37 C.F.R. §1.20, or credit any overpayment to Account No. 19-3878 for which purpose a duplicate copy of this sheet is attached.

[x] A Squire, Sanders & Dempsey L.L.P. check in the amount of \$\(\frac{105.00}{}\) is attached.

The Patent and Trademark Office is respectfully requested to forward the application for examination.

Respectfully submitted,

David E. Rogers

Reg. No. 38,287

SQUIRE, SANDERS & DEMPSEY L.L.P. Two Renaissance Square 40 North Central Avenue, Suite 2700 Phoenix, Arizona 85004-4498 (602) 528-4122





United States Patent and Trademark Office

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 www.uspto.gov

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/751,025

12/29/2000

Jonathan W. Hubbs

29092.00011

SQUIRE, SANDERS & DEMPSEY L.L.P. Two Renaissance Square

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CONFIRMATION NO. 7715 FORMALITIES LETTER

OC000000005764472*

Date Mailed: 02/14/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$65.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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